

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Zhong Dong et al  
Assignee: ProMOS Tech. Inc.  
Title: METHOD OF FORMING ONO-TYPE SIDEWALL WITH  
REDUCED BIRD'S BEAK  
Serial No.: 10/821,100 Filing Date: April 7, 2004  
Examiner: Vu David Group Art Unit: 2818  
Docket No.: M-15295 US Confirmation No.: 8965

San Jose, California  
December 14, 2007

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COMMISSIONER FOR PATENTS  
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Alexandria, VA 22313-1450

**SUBMISSION OF REVISED APPEAL BRIEF,  
RESPONSE TO NOTIFICATION OF NON-COMPLIANT  
AND SHORT INTERVIEW SUMMARY**

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed 12/04/2007

Applicants hereby submit the attached Appeal Brief (once revised).

Entry and consideration are respectfully requested.

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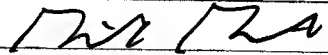
## REMARKS

Applicants representative telephoned the group clerk who signed the Notification of Non-Compliant Appeal Brief a number of times without receiving any call back. Ultimately, on 12/12/2007, representative succeeded in making telephone contact with SPE Steven Loke. Applicants thank SPE Loke for the courtesy of his prompt responses. During the telephone conferences, SPE Loke indicated that the Appeal Brief would sail through the formalities check if revised to identify the pending claims, identify the most general legal questions for which review is sought and supply the arguments under said headings.

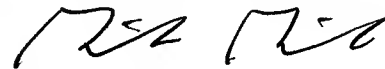
Each of these is done in the attached once-revised Appeal Brief. A statement of the pending claims is made on page 2 under the heading "Status of Claims". On page 4 under the heading of "Grounds of Rejection to be Reviewed on Appeal," the general questions (a) and (b) are inserted. On page 7 immediately under "Arguments" the same general heading (a) is inserted to cover subsections 7.1-7.4. On page 26, a new subsection heading 7.5 has been added with general question of law (b) and all responses regarding the §112 rejections being moved to fall under that subheading.

In view of the above, it is respectfully submitted that all formalities have been met and that the Appeal Brief should now be moved forward for proper consideration.

The Commissioner is authorized to charge the fee for filing Notice of Appeal and to charge any underpayment or credit any overpayment to Deposit Account No. 50-2257 for any matter in connection with this response, including any fee for extension of time and/or fee for additional claims or petitions as may be required.

<p align="center"><b>CERTIFICATE OF EFS-WEB TRANSMISSION</b></p> <p>Certificate of Transmission: I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office (USPTO) via the USPTO's EFS-Web electronic filing system on</p> <p><u>12-14-2007</u> (Date).</p> <p>Typed or printed name of person signing this certificate:</p> <p><u>Gideon Gimlan</u></p> <p>Signature: <u></u></p>
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Respectfully submitted,



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